

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

DAVID L. GRAY,

Petitioner,

vs.

BAKER, *et al.*,

Respondents.

Case No. 2:13-cv-01629-JAD-CWH

**ORDER**

This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, by a Nevada state prisoner. By order filed October 23, 2013, petitioner was directed to either pay the \$5 filing fee for this action, or file an amended application to proceed *in forma pauperis* containing all financial documentation, within thirty days. (Doc. 2). Pursuant to the order of October 23, 2013, the Clerk of Court sent petitioner the approved form for an application to proceed *in forma pauperis* and instructions for the same.

On November 22, 2013, the Clerk of Court received a letter from petitioner seeking additional time in which comply with the Court's order. (Doc. 3-1). The Court construes petitioner's letter as a motion for an extension of time. Good cause appearing, petitioner is granted thirty days from the date of entry of this order in which to comply with the Court's order of October

1 23, 2013. Petitioner is reminded that a document seeking a court order must be styled as a motion,  
2 not a letter.

3 **IT IS THEREFORE ORDERED** that petitioner's request for an extension of time (Doc. 3-  
4 1) to comply with this Court's order of October 23, 2013, is **GRANTED**.

5 **IT IS FURTHER ORDERED** that petitioner shall, within **30 days** from the date of entry of  
6 this order, do one of the following: (1) pay the \$5 filing fee, or (2) file a fully completed application  
7 to proceed *in forma pauperis*, on the correct form, including a financial certificate signed by an  
8 authorized prison or jail officer.

9 **IT IS FURTHER ORDERED** that if petitioner does not timely comply with this order,  
10 dismissal of this action may result.

11 Dated this 13<sup>th</sup> day of December, 2013.

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14 UNITED STATES DISTRICT JUDGE  
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